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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 ANITA D. PARATLEY,) CASE NO. C-05-4312 (MMC)
12 Plaintiff,)
13 vs.) [San Francisco County Superior
14) Court Case No. 05-445379]
15 CONSECO HEALTH INSURANCE) STIPULATION AND ORDER
16 COMPANY and CONSECO, INC.,)
17 Defendants.) Assigned to: The Honorable
18) Maxine M. Chesney

18 STIPULATION

19 It is stipulated, by and between plaintiff Anita Paratley
20 and defendant Conseco Health Insurance Company, parties to the
21 above entitled action, by and through their attorneys, as
22 follows:

23 1. Conseco, Inc. is dismissed from the action, with
24 prejudice, each party to bear their own costs and fees.

25 2. Conseco Life Insurance Company of Texas shall not be
26 added as a party in this action.

27 3. Plaintiff may file the attached Second Amended Complaint,
28 which adds Conseco Services L.L.C. as a defendant in the action.

1 The attached Second Amended Complaint may be deemed filed on the
2 date of the court's execution of this order.

3 4. The Law Offices of Marc J. Wodin will accept service of
4 the Second Amended Complaint for Conseco Services L.L.C.

5. Conseco Services L.L.C. will respond to the Second
Amended Complaint within 20 days of service.

6. No changes to any pretrial dates are believed necessary
by the parties as a result of this stipulation.

10 DATED: FRIEDMAN, RUBIN AND WHITE

FRIEDMAN, RUBIN AND WHITE

By MICHAEL N. WHITE
Attorneys for Plaintiff ANITA
PARATLEY

16 DATED: 8/7/06 LAW OFFICES OF MARC J. WODIN

LAW OFFICES OF MARC J. WODIN

By MARC J. WODIN
Attorneys for Defendant CONSECO
HEALTH INSURANCE COMPANY

21 ORDER

23 1. Conseco, Inc. is dismissed from the action, with
prejudice, each party to bear their own costs and fees.

25 2. Conseco Life Insurance Company of Texas shall not be
added as a party in this action.

~~3. The attached Second Amended Complaint is deemed filed on the date of the court's execution of this order.~~

3. Plaintiff shall file the Second Amended Complaint no later than August 28, 2006.

1 4. The Law Offices of Marc J. Wodin will accept service of
2 the Second Amended Complaint for Conseco Services L.L.C.

3 5. Conseco Services L.L.C. will respond to the Second
4 Amended Complaint within 20 days of service.

5
6 DATED: August 22, 2006

Maxine M. Chesney
7 THE HONORABLE MAXINE M. CHESNEY
JUDGE OF THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA